

ARGUMENTS/REMARKS

Applicants would like to thank the examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicants regard as the invention.

In the specification, the references to a co-pending application have been amended to include the application serial number and filing date.

Claims 1, 3, and 6 remain in this application. Claims 2, 4-5, and 7-11 have been canceled. New claims 12-21 are added without adding any new matter.

Claims 1, 3, 4, 6, and 8-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Raissyan *et al.* (U.S. Patent No. 5,893,098). Claims 1, 3 and 6 have been amended. The remaining rejected claims have been canceled. For at least the following reasons, the examiner's rejections are respectfully traversed.

Raissyan does not disclose or teach a survey system. In particular, Raissyan does not teach "a survey presentation unit for automatically formatting and presenting said survey participant answers as a survey result to a user" as recited in amended claim 1.

Raissyan discloses a system for automated telephone operator services. Raissyan does not disclose any means of presenting and formatting survey participant answers to a user. Thus, claim 1, as amended, is patentable over the reference.

Claim 6 recites the step of "automatically compiling and presenting a survey report to a user, said survey report utilizing the answers collected from said survey participant for said report". As discussed for claim 1, Raissyan does not teach such a limitation, and thus claim 6 is also patentable over the reference.

New claim 15 recites the ability to switch from an automated survey method to a manual survey method both using the same questions, and using the answers of the survey participant stored in the database for generating a survey report. Raissyan does not teach such a process, and thus claim 15 is patentable over the reference.

The Examiner cited Raissyan col. 6, lines 64-67 as teaching the switch from an automated survey method to a manual survey method, but there is no teaching in the reference that “said manual survey utilizes the automated survey method except that said questions are first automatically presented to one of the agents and then provided by said one of the agents to the participant” as recited in the claim, and thus claim 15 is patentable over the reference for this reason as well.

The remaining claims are patentable over the reference at least for their dependence upon one of the independent claims discussed above.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32668.

Respectfully submitted,
PEARNE & GORDON, LLP

By: /Robert F. Bodi/
Robert F. Bodi, Reg. No. 48,540

1801 East Ninth Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

December 15, 2006